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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,177	07/14/2006	Roland Arthur Van Es	US040025US2	7252

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER
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BLOUIN, MARK S

ART UNIT	PAPER NUMBER
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2627

MAIL DATE	DELIVERY MODE
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04/21/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/597,177	<b>Applicant(s)</b> VAN ES ET AL.	
	<b>Examiner</b> MARK BLOUIN	<b>Art Unit</b> 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/14/06</u> .   | 6) <input type="checkbox"/> Other: ____.                          |

## **Detailed Action**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Hagiya et al (US 5,086,422).

3. Regarding Claim 1, Hagiya et al shows (Figs. 1-24) a disc drive apparatus comprising a disc drive housing (6) containing an OPU (optical pick-up unit) (10) and a DVD cartridge (2), said OPU (5) joined to said DVD cartridge (2) wherein sensitive parts of said OPU are shielded from an interior environment of said disc drive housing.

4. Regarding Claim 2, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, further comprising said housing including at least a plurality of openings (106) and a fan (III) that causes a cooling medium to flow through said housing (6) and cool at least one of said DVD cartridge(2) and said OPU (5).

5. Regarding Claim 3, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, wherein said cooling medium further cools further components including a turntable motor (4) and a disc drive PCB (13).

6. Regarding Claim 4, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, wherein said cooling medium comprises air.

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7. Regarding Claim 5, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, wherein said air is unfiltered air.
8. Regarding Claim 6, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, wherein said sensitive parts are disposed at least partially within said DVD cartridge (2).
9. Regarding Claim 7, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, further comprising a dust seal (28,105) joining said OPU (5) and said DVD cartridge (2).
10. Regarding Claim 8, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, wherein said OPU (5) is translatable with respect to said DVD cartridge (2) and said dust seal (105).
11. Regarding Claim 9, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, wherein said OPU (5), DVD cartridge (2) and dust seal (105) form a subassembly including an enclosed interior (28) that contains said sensitive parts and is shielded from said interior environment.
12. Regarding Claim 10, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, further comprising said housing including at least a duality of openings (106) and a fan (III) that causes a cooling medium to flow through said housing (I) and wherein further parts of said OPU (5) are disposed outside said subassembly and within an OPU casing (6) that is directly cooled by said cooling medium.
13. Regarding Claim 11, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, wherein said further parts include electrical components and a laser (301).
14. Regarding Claim 12, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, wherein said sensitive parts comprise optical parts (5a).
15. Regarding Claim 13, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, wherein said sensitive parts include at least one of a lens and a mirror (part of optical pickup-5).

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16. Regarding Claim 14, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, wherein said OPU (5) is translatable with respect to said DVD cartridge (2).

17. Regarding Claim 15, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, wherein at least part of said OPU (5) and said DVD cartridge (2) are cooled by forced convection.

18. Regarding Claim 16, Hagiya et al shows (Figs. 1-24) a disc drive apparatus comprising an optical pick-up unit (5) joined to a DVD cartridge (2), wherein sensitive parts of said optical pick-up unit (5) are at least partially surrounded by a dust shield (28,105) and at least further parts of said optical pick-up unit are cooled by forced convection.

19. Regarding Claim 17, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, further comprising a housing (6) encasing said DVD cartridge (2) and said optical pick-up unit (5) and a fan (III), said housing (6) including at least a duality of openings (106) that combine with said fan (III) to provide said forced convection.

20. Regarding Claim 18, Hagiya et al shows (Figs. 1-24) the disc drive apparatus, in which said further parts are disposed within a casing (6) covered by a metal dust cover (103).

21. Regarding Claim 19, Hagiya et al shows (Figs. 1-24) the disc drive, wherein said sensitive parts are disposed within an actuator section of said optical pick-up unit (5) and said optical pick-up unit (5) is translatable with respect to said DVD cartridge (2) and said dust seal (28,105).

### ***Conclusion***

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Blouin whose telephone number is 571-272-7583. The examiner can normally be reached on M-F from 6:00 to 3:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Joe Feild, can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Mark Blouin/

Primary Examiner of Art Unit 2627

Mark Blouin  
Patent Examiner  
Art Unit 2627  
April 17, 2009